

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yasukazu NAGATO et al.

Group Art Unit : Unknown

Appln. No : 10/516,313
(National Stage of PCT/JP03/07478)

Examiner : Unknown

I.A. Filed : June 12, 2003

For : AGENT FOR SUPPRESSING SIDE EFFECTS OF ANTITUMOR AGENT

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop AMENDMENT
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

In accordance with the duty of disclosure under 37 C.F.R. 1.56, 1.97, and 1.98, Applicants hereby bring the following information to the attention of the Examiner, which includes information cited and discussed in the specification, the International Search Report, the Written Opinion, and the International Preliminary Examination Report issued in connection with counterpart International Application No. PCT/JP03/07478. Copies of the International Search Report (in English and Japanese), the Written Opinion (in Japanese) and the International Preliminary Examination Report (in Japanese) were enclosed with the papers when entering the National Stage on June 13, 2005. A copy of the English translation of the International Preliminary Examiner Report is being submitted herewith. The Examiner is invited to review these materials to inspect the relevance indicated during international examination with respect to the documents cited therein.

JP 9-227388 A, accompanied by an English language abstract, which is cited in the specification on page 3, last paragraph;

JP 10/130153 A, accompanied by an English language abstract, which is cited in the specification on page 3, last paragraph;

JP 11-39894, which published as JP 2000-239171, accompanied by an English language abstract, which is also cited in the specification on page 8, second paragraph;

WO 01/21612 A1, which is a family member of JP 11-265715 which is also cited in the specification on page 10, second full paragraph;

WO 01/21613 A1, which is a family member of JP 11-265732 which is also cited in the specification on page 10, second full paragraph;

WO 01/21182 A1;

Yasukazu NAGATO et al., The Journal of the Japan Society for Cancer Therapy, Vol. 37, No. 2, page 515 (September 2005);

WO 02/074835 A1;

WO 03/007937 A1;

JP 6-336427, accompanied by an English language abstract;

JP 5-310581, accompanied by an English language abstract;

Youichirou NAGASU et al., Medicine and Biology, Vo. 135, No. 5, pp. 235-239 (1997);

Youichirou NAGASU et al., Medicine and Biology, Vo. 135, No. 1, pp. 33-36 (1997); and

DE 31 04 703 A1, and family member U.S. Patent No. 4,620,973.

Applicants also bring to the attention of the Examiner:

U.S. Patent No. 6,734,214 B1, to TAKADA et al., together with family member WO 01/10451 A1 and EP 1 213 021 A1;

U.S. Patent Application No. 10/070,436 to WATANABE et al., which issued as U.S. Patent No. 6,825,314 B1, together with family member WO 01/21612 A1 (mentioned above) and EP 1 219 616 A1;

U.S. Patent Application No. 10/070,435 to WATANABE et al., which issued as U.S. Patent No. 6,861,538 B1, together with family member WO 01/21613 A1 (mentioned above) and EP 1 219 617 A1;

U.S. Patent Application No. 10/070,434 to TAKADA et al., filed July 22, 2002, together with family member WO 01/21182 A1 (mentioned above) and EP 1 224 936 A1;

U.S. Patent Application No. 10/088,523 to TAKADA et al., filed July 15, 2002, together with family member WO 01/24802 A1 and EP 1 219 297 A1;

U.S. Patent Application No. 10/181,421 to MURAYAMA et al., which published as U.S. Patent Application Publication No. 2003/0083368 A1, together with family member WO 01/54705 A1;

U.S. Patent Application No. 10/130,300 to MARUYAMA et al., which published as U.S. Patent Application Publication No. 2003/0072735 A1, together with family member WO 01/39782 A1;

U.S. Patent Application No. 10/451,787 to MURAKAMI et al., which published as U.S. Patent Application Publication No. 2004/0110834 A1, together with family member WO 02/55090 A1 and EP 1 358 884 A1;

U.S. Patent Application No. 10/451,786 to MURAKAMI et al., which published as U.S. Patent Application Publication No. 2004/0259935 A1, together with family member WO 02/55091 A1 and EP 1 358 885 A1;

U.S. Patent Application No. 10/466,541 to MURAKAMI et al., which published as U.S. Patent Application Publication No. 2004/0116520 A1, together with family member WO 02/60457 A1 and EP 1 362 594 A1;

U.S. Patent Application No. 10/469,693 to WATANABE et al., which published as U.S. Patent Application Publication No. 2004/0236142 A1, together with family member WO 02/72531 A1 and EP 1 378 502 A1;

U.S. Patent Application No. 10/471,283 to WATANABE et al., which published as U.S. Patent Application Publication No. 2004/0147714 A1, together with family member WO 02/74835 A1 (mentioned above);

U.S. Patent Application No. 10/493,051 to NAGATO et al., which published as U.S. Patent Application Publication No. 2005/0107464 A1, together with family member WO 03/039560 A1;

U.S. Patent Application No. 10/503,581 to WATANABE et al., filed August 11, 2004, together with family member WO 03/70684 A1;

U.S. Patent Application No. 10/503,140 to WATANABE et al., filed August 11, 2004, together with family member WO 03/70693 A1; and

U.S. Patent Application No. 10/503,139 to ARANO et al., which published as U.S. Patent Application Publication No. 2005/0129613 A1, together with family member WO 03/72142 A1.

Further to the U.S. Patent and Trademark Office's decision to waive the requirement under 37 C.F.R. 1.98 (a)(2)(i), copies of the U.S. patent is not

enclosed herewith. However, if any a copy is needed, the Examiner is respectfully requested to contact the undersigned.

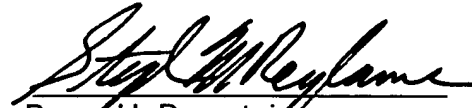
Copies of the above-noted documents, except for the U.S. Patent, is enclosed together with a duly completed Form PTO-1449. The Examiner is accordingly requested to consider each of these documents, and to make them of record in this application by initialing in the appropriate spaces on the Form PTO-1449. Applicants respectfully request that the Examiner include a copy of the initialed Form PTO-1449 with the next communication from the U.S. Patent and Trademark Office.

Applicants note that while this Information Disclosure Statement is being filed more than three months from the filing date, Applicants have not received an action on the merits from the U.S. Patent and Trademark Office. Accordingly, consideration of the enclosed document is required under 37 C.F.R. 1.97(b)(3).

However, if an action on the merits has been mailed prior to the filing date of this Information Disclosure Statement, Applicants hereby authorize the charging of any required fees necessary for consideration of the documents cited herein to Deposit Account No. 19-0089.

Should there be any questions, the Examiner is invited to contact the undersigned at the below listed telephone number.

Respectfully submitted,
Yasukazu NAGATO et al

A handwritten signature in black ink, appearing to read "Stephen M. Roylance", written over a horizontal line.

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FORM PTO-1449

U.S. Department of Commerce
Patent and Trademark OfficeAtty. Docket No.
P26361Application No.
10/516,313INFORMATION DISCLOSURE STATEMENT
BY APPLICANT
(Use several sheets if necessary)Applicant
Yasukazu NAGATO et al.Filing Date
June 12, 2003Group
Unknown

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6 7 3 4 2 1 4	11/30/04	WATANABE et al.			
		6 8 2 5 3 1 4	11/30/04	WATANABE et al.			
		6 8 6 1 5 3 8	03/01/05	WATANABE et al.			
		4 6 2 0 9 7 3	11/04/86	TRUOG			
		6 7 3 4 2 1 4	05/11/04	TAKADA et al.			
	2003	0 0 8 3 3 6 8	05/01/03	MURAYAMA et al.			
	2003	0 0 7 2 7 3 5	04/17/03	MURAYAMA et al.			
	2004	0 1 1 0 8 3 4	06/10/04	MURAYAMA et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	9	- 2 2 7 3 8 8	09/02/97	JAPAN			
	10	/ 1 3 0 1 5 3	05/19/98	JAPAN			
	2000	- 2 3 9 1 7 1	09/05/00	JAPAN			
	01	/ 2 1 6 1 2	03/29/01	W.I.P.O			
	01	/ 2 1 6 1 3	03/29/01	W.I.P.O			
	01	/ 2 1 1 8 2	03/29/01	W.I.P.O			
	02	/ 0 7 4 8 3 5	09/26/02	W.I.P.O			
	03	/ 0 0 7 9 3 7	01/30/03	W.I.P.O			
	6	- 3 3 6 4 2 7	12/06/94	JAPAN			
	5	- 3 1 0 5 8 1	11/22/93	JAPAN			
		3 1 0 4 7 0 3	11/26/81	GERMANY			
	01	/ 1 0 4 5 1	02/15/01	W.I.P.O			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	1	Yasukazu NAGATO et al., The Journal of the Japan Society for Cancer Therapy, Vol. 37, No. 2, page 515 (September 2005).
	2	English Language Abstract of JP 9-227388, Published 09/02/97.
	3	English Language Abstract of JP 10/130153, Published 05/19/98.
	4	English Language Abstract of JP 2000-239171, Published 09/05/00.
	5	English Language Abstract of JP 6-336427, Published 12/06/94.
	6	English Language Abstract of JP 5-310581, Published 11/22/93.

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*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2004	0 2 5 9 9 3 5	12/23/04	MURAKAMI et al.			
	2004	0 1 1 6 5 2 0	06/17/04	MURAYAMA et al.			
	2004	0 2 3 6 1 4 2	11/25/04	WATANABE et al.			
	2004	0 1 4 7 7 1 4	07/29/04	WATANABE et al.			
	2005	0 1 0 7 4 6 4	05/19/05	NAGATO et al.			
	2005	0 1 2 9 6 1 3	06/16/05	ARANO et al.			

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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
		1 2 1 3 0 2 1	06/12/02	E.P.O			
		1 2 1 9 6 1 6	07/03/02	E.P.O			
		1 2 1 9 6 1 7	07/03/02	E.P.O			
		1 2 2 4 9 3 6	07/24/02	E.P.O			
	01	/ 2 4 8 0 2	04/12/01	W.I.P.O			
		1 2 1 9 2 9 7	07/03/02	E.P.O			
	01	/ 5 4 7 0 5	08/02/01	W.I.P.O.			
	01	/ 3 9 7 8 2	06/07/01	W.I.P.O			
		1 3 5 8 8 8 4	11/05/03	E.P.O			
	02	/ 0 5 5 0 9 0	07/18/02	W.I.P.O			
	02	/ 0 5 5 0 9 1	07/18/02	W.I.P.O			
		1 3 5 8 8 8 5	11/05/03	E.P.O			
	02	/ 0 6 0 4 5 7	08/08/02	W.I.P.O			
		1 3 6 2 5 9 4	11/19/03	E.P.O			
	02	/ 0 7 2 5 3 1	09/19/02	W.I.P.O			
		1 3 7 8 5 0 2	01/07/04	E.P.O			
	03	/ 0 3 9 5 6 0	05/15/03	W.I.P.O			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	7	Youichirou NAGASU et al., Medicine and Biology, Vo. 135, No. 5, pp. 235-239 (1997).
	8	Youichirou NAGASU et al., Medicine and Biology, Vo. 135, No. 1, pp. 33-36 (1997).
	9	U.S. Patent Application No. 10/070,434 to TAKADA et al., filed July 22, 2002,
	10	U.S. Patent Application No. 10/088,523 to TAKADA et al., filed July 15, 2002,
	11	U.S. Patent Application No. 10/503,581 to WATANABE et al., filed August 11, 2004,
	12	U.S. Patent Application No. 10/503,140 to WATANABE et al., filed August 11, 2004,

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